

110TH CONGRESS
2D SESSION

H. R. 5124

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to provide for two-layered, 14-foot reinforced fencing along the southwest border, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2008

Mr. HUNTER (for himself, Mr. DREIER, Mr. POE, Mr. ROYCE, Mr. GOODE, and Mr. ROHRABACHER) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to provide for two-layered, 14-foot reinforced fencing along the southwest border, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reinstatement of the
5 Secure Fence Act of 2008”.

1 **SEC. 2. TWO-LAYERED REINFORCED FENCING ALONG THE**
2 **SOUTHWEST BORDER.**

3 (a) IN GENERAL.—Section 102 of the Illegal Immi-
4 gration Reform and Immigrant Responsibility Act of 1996
5 (Public Law 104–208; 8 U.S.C. 1103 note), as amended
6 by section 564 of division E of the Consolidated Appro-
7 priations Act, 2008 (Public Law 110–161), is amended
8 by amending subparagraph (A) of subsection (b)(1) to
9 read as follows:

10 “(A) TWO-LAYERED REINFORCED FENC-
11 ING.—

12 “(i) IN GENERAL.—In carrying out
13 subsection (a), the Secretary of Homeland
14 Security shall construct two layers of rein-
15 forced fencing along not less than 700
16 miles of the southwest border where such
17 fencing would be most practical and effec-
18 tive and provide for the installation of ad-
19 ditional physical barriers, roads, lighting,
20 cameras, and sensors to gain operational
21 control of the southwest border.

22 “(ii) HEIGHT REQUIREMENT.—The
23 two-layered reinforced fencing required
24 under clause (i) shall be not less than 14
25 feet high.

1 “(iii) CONSTRUCTION DEADLINE.—
2 The Secretary shall ensure the completion
3 of the construction of such two-layered re-
4 inforced fencing and the installation of
5 such additional physical barriers, roads,
6 lighting, cameras, and sensors by not later
7 than the date that is six months after the
8 date of the enactment of this subpara-
9 graph.

10 “(iv) PROHIBITION ON PREEXISTING
11 FENCING TO SATISFY MILEAGE REQUIRE-
12 MENT.—In carrying out clause (i), the Sec-
13 retary may not consider fencing along the
14 southwest border in existence on January
15 1, 2008, for purposes of satisfying the
16 mileage requirement under such clause.”.

17 (b) REPEALS.—

18 (1) CONSULTATION AND LIMITATION REQUIRE-
19 MENT.—Subparagraphs (C) and (D) of section
20 102(b)(1) of the Illegal Immigration Reform and
21 Immigrant Responsibility Act of 1996, as added by
22 section 564 of division E of the Consolidated Appro-
23 priations Act, 2008, are repealed.

1 (2) CONFORMING AMENDMENT.—Subsection (b)
2 of section 564 of division E of the Consolidated Ap-
3 propriations Act, 2008 is repealed.

4 (c) CONFORMING AMENDMENTS.—Subsection
5 (b)(1)(B) of section 102 of the Illegal Immigration Reform
6 and Immigrant Responsibility Act of 1996, as amended
7 by section 564 of division E of the Consolidated Appro-
8 priations Act, 2008, is amended—

9 (1) in clause (i), by striking “fencing” and in-
10 serting “two layers of reinforced fencing (such fence-
11 ing being not less than 14 feet high)”; and

12 (2) in clause (ii), by inserting “such” before
13 “reinforced fencing”.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated such sums as may be
16 necessary to carry out the amendment made by subsection
17 (a).

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